IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7061 OF 2005
WITH
WRIT PETITION NOS. 7062 & 7064 OF 2005

M/s. Progress India Enterprises ..Petitioners.
a partnership firm & Ors.

Versus

The Greater Bombay Co-operative
Bank Ltd., & Ors. ..Respondents.

WITH
WRIT PETITION NOS. 7063 & 7065 OF 2005

M/s. Advance Engineering Corporation ..Petitioners.
a Partnership firm & Ors.

versus

The Greater Bombay Co-operative
Bank Ltd., & Ors. ..Respondents.

Mr. G.S.Kulkarni with Mr. Anilkumar Joshi for the Petitioners in all the petitions.

Mr. V.R.Walawalkar with S.R. Bhalekar for the Respondent No.1.

CORAM : S. A. BOBDE, J.
DATED : 17TH OCTOBER, 2005.

P.C.:

1. In all these petitions, Rule returnable forthwith. Mr. Walawalkar, Advocate waives service of rule for the Respondent No.1. Heard by consent.

2. After hearing the matter for some time, the following order is passed by consent.

ORDER

i. The Assistant Registrar shall issue recovery certificate after affording opportunity to both the sides before hearing in the matter, to adduce such evidence as may be advised in support of their claims.

ii. The Assistnat Registrar will consider the issue of a recovery certificate on its own merits in accordance with law without being influenced by the impugned order.

iii. All contentions of both the parties are kept open. The Assistant Registrar shall take decision within a period of eight weeks after the parties appear before him. The parties are directed to appear before him on 24th October, 2005.

iv. Rule in all the petitions is disposed of in the above terms.

DT. 17.10.05 (S.A.BOBDE,J)

.....